

Excerpted from:

**HUMAN RIGHTS IN CZECHOSLOVAKIA:
THE DOCUMENTS OF CHARTER '77
1977 - 1982**

originally published by the Commission on Security and Cooperation in Europe,
Washington, D.C. (July 1982)

Situation of the Gypsies in Czechoslovakia

Document No. 23

Stemming from the Czechoslovak Constitution and Czechoslovak Laws, as well as the International Covenants on Human Rights and the Universal Declaration of Human Rights of the United Nations, Charter 77 has, since its inception, championed the principle that all people are entitled to reap the benefits of human rights and democratic freedom without discrimination.

This also means that these rights and freedoms should benefit all people regardless of their nationality or ethnic origin and that belonging to a certain nationality or race cannot be a reason for limiting a person's rights or depriving him of his rights altogether and taking away his freedoms.

Charter 77 pointed out that as far as human rights are concerned, the Czechoslovak legal system has discrepancies and is inconsistent in the area of relevant legal and other rulings, which establish and describe citizens' rights, as well as in the area of legal guarantees of these rights. Charter 77 also pointed out many times that the daily practice of state and social organs and institutions is to deny human rights, which the Czechoslovak government pledged to uphold and respect at international forums, as well as those citizens' rights guaranteed by the Czechoslovak Constitution and Czechoslovak Laws. This double-standard -- the legal system and daily practice -- does not free us from our duty to express criticism of such violations of human rights which are not tied with political developments in the country, or with political discrimination in employment or with criminal persecution of persons for freely expressing their beliefs.

Such less political -- and thus less visible -- violations of human rights can be seen in discrimination against our fellow citizens of Gypsy origin. Charter 77 prepared a document on discrimination against Gypsies, regarding violations of the legal system concerning their social standing. Publishing this document should generate a discussion about this question, as well as interest in their problem. We are aware of the fact that their social standing is influenced by a number of factors. We therefore, want to assist in throwing some light on these factors and thus help in elevating their social standing.

We feel also, that the Gypsies themselves will try to work at getting their civil, political, social, cultural and economic rights. We have found that after the state organs abolished the Association of Gypsies, there has been no organization or institution in this country willing to take up the cause of the Gypsies. We feel that the establishment of such an organization is absolutely necessary.

We also wish to emphasize that we do not see that the problem of citizens of Romany descent will be solved by integrating them into our society (and by creating conditions for such integration). The question, whether they should get assimilated into society and accept its values and thereby lose, in the process, their own ethnic identity, is for them alone to decide. They alone can decide to what extent this integration should be accomplished, should they accept it. Every Gypsy is actually faced with such a decision every day. It is up to the state organs and the citizens to create conditions for this decision and to foster the atmosphere of mutual understanding.

This will also be fostered by deliberations and essays addressing this issue - especially on how to solve this problem in Czechoslovakia. Charter 77 presents such a deliberation to the public and to the state organs as a basis for discussion.

Praha, December 13, 1978

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The situation of Gypsies in Czechoslovakia is not a theme that holds the interest of other people and it is, therefore, prudent to say that most citizens do not know anything about this minority against which there is so much discrimination. This lack of information is a result of a well planned campaign to keep secret everything that has anything to do with this minority. However, the situation is too serious to let it go on unchecked and without protest.

The attitude of the public on this issue vacillates between indifference and racism. Expressions of racism and segregation are getting -- and will be getting -- more numerous. Gypsies, who are the least protected group of citizens in Czechoslovakia and have the fewest rights, do not figure in the minds of other citizens as being the victims of illegality; this seems to be a "privilege" of "decent" people. If the silence on this issue should continue, it will lead to a tragic paradox: Gypsies will in the minds of the population as well as in the minds of those who are indifferent to these issues and, paradoxically, in the minds of those who are striving for legality, blend with a picture of societal vices. What may happen in the end is that the repressive organs, which bear primary responsibility for what has happened to the Gypsies in Czechoslovakia and for the way they live today will actually protect the Gypsies before they help citizens who work against the same organs in the interest of legality and humanity. And the old Jewish role will see a repeat performance with a new cast -- a performance which has already begun.

The problem of minorities plagued the Republic from the very beginning, from the founding of Czechoslovakia as an independent state. This problem played a big role in the Munich crisis and in the catastrophe which followed. There was no serious attempt to analyze the pre-war minority situation and policy and there was no minority policy formulated after the war. There are, in Czecho-slovakia today, quite a few minorities, nationalities and ethnics, whose problems are unknown to the great majority in Czechoslovak citizens. The problem of minorities in our country are the more serious, because Czechoslovakia has a high population density and there are no great open spaces in our country. These demographic-geographical peculiarities underline in a specific way traditional Czech nationalism and its relationship to minorities. Neglecting the problems of minorities and suppressing any information on these problems, is a dangerous and irresponsible. The specific situation in Czechoslovakia demands, on the contrary, an enlightened and more tolerant policy, based on a rational will for co-existence, not a conservative, restrictive policy which shows a tendency towards repression and which leads to social and cultural elimination.

Gypsies are different from other minorities because they represent a developing culture in the midst of European cultures. They are the second most numerous minority in Czechoslovakia and according to some experts, they may be the most numerous. The traditional name "Gypsies" carries with it much vilification, stemming from centuries old prejudices and does not reflect the original name of this ethnic group. We have therefore chosen to call them ROMOVE, which is in harmony with their language and feelings as well as with a trend in the world today to denote ethnic and national groups in the way these groups prefer themselves.

There are approximately 300,000 Romy (Gypsies) in Czecho-slovakia. According to official sources their number is smaller because their ethnic background was, during the census, either left out (it depended on the "good" will of the census takers) or because many of them preferred not to disclose their ethnic origin. As far as their percentage of the general population, the estimates range between 1.6% and 2.9%. Statistics put out by official sources tend to use the lower figure, which is detrimental to the well-being of the Romy (Gypsies) because underestimation of the total number leads to overestimation of other factors. Thus the statistics on Gypsy criminality and poverty, coming from official sources, tend to portray the Gypsies in an unfavorable light without taking into consideration their background and the society in which they live.

More than one fourth of the Gypsy population now live in the Czech lands where they moved during the war years from Slovakia. From the original, about 10,000 Gypsies who lived in Bohemia and Moravia, only a few hundred survived the Nazi occupation; the others died in concentration camps or in gas chambers. The birth rate among the Gypsies is three times greater than the rest of the population, while the death rate among Gypsy children is twice the national death rate. The overall health standard of the Gypsy population is very poor in comparison with the rest of the population.

In the past the reason for social isolation of the Gypsies was racial difference, extreme poverty and different life style. Today the main reason for solving the problem are so-called "Gypsy problems" - in Czechoslovakia the problem now is the problem of majority rule. The "Gypsy problems" are getting worse at the same rate as the economy grows worse and are also due to the continuing bureaucratic system and the malfunction of public communications in the area of thought and information; the problems are also due to growing brutality and illegal repressive institutions. The so-called "Gypsy question" is a symptom of deeper, general problems of the whole society. It is also the result of political-administrative stereotyping, and constantly proclaimed ideological theses, which only cover up the real problem.

There are inconsistencies between the actual and the legal status of the Gypsies. Our Constitution, and many laws including international covenants, guarantee all citizens full equality not only for the individual, but also as a group - which means the right to use the mother tongue, culture and the pursuit of development of specific interests.

However, the rights of Gypsies, as a minority, are denied in Czechoslovakia. By stressing the fact that Gypsies are "only an ethnic group" not a national minority and using this artificial distinction between "ethnic" and "national", the state powers hope to lessen the minority problem and to subordinate it to the so-called interests of the whole society. However, the official interpretation to the "Gypsy question" stems in fact from Stalin's interpretation of nationality problems. For Gypsies there is the question -- whether to become Czechs or Slovaks and thereby risk the extinction of their identity. Legally the Gypsies do not exist. However, the authorities established various governmental, regional and district commissions, which register Gypsies in various categories according to absurd criteria; special schools were also established -- not to assist the Gypsy culture, but to suppress it. There are also rules and regulations which are to assist in solving the "Gypsy question". In official documents the Gypsies are recorded only as of "Gypsy decent" or as "less integrated population."

The so-called "solution of the Gypsy question" is limited to repressive measures, which often have the characteristics of nationwide campaigns, which are unknown to the general population. A first such nationwide action was registration of "nomads." It was "raid" conducted on the basis of Public Law No. 74/1958 over all of Czechoslovak territory from February 3 to February 6, 1959. Para. 3 of Public Law 74/1958 states: "Persons, who persist in living a nomadic life, despite assistance provided for a permanent residence, will be punished for criminal offense by loss of free-dom for 6 months to 3 years."

This Law, which violates the Constitution and the administrative measures which were used to give it some legal status, was also employed against some social groups from the "majority of population" such as against "worldly persons" (secular) who specialize in fairs, etc.

These measures were meant mostly against Gypsies, who were not nomads. Gypsies in Czechoslovakia are divided into three groups, two of which about represent 90 to 95% of the Gypsy population in our territory. They have been established here for at least 200 years. The third group - which represents from 5 to 10% of the Gypsy population, did live as nomads. Law No. 74/1958 was used directly only in a few cases; however, it was used in connection with the registration of nomads in 1959 and later as a basis for repression with racial overtones. This law is still valid today and is, therefore, a constant threat to Gypsies who do not lead a nomadic life and who live in conditions, which are not of their own doing that force them to migrate.

Regulations, under which the registration of "nomads" was conducted, were worked out in secrecy, months before the registration, and specified in detail how the registration should be conducted - even the room where the registration was to be held.

The regulations stated that even those Gypsies who had a permanent residence and employment had to be registered so long as they allegedly sent their wife or companion to beg or to earn money by prostitution. The regulations, however, did not demand proof of such begging or prostitution. Many Gypsies, who had permanent residence and employment and did not live as nomads, were registered simply because they happened to travel somewhere on a train or were at a railway station between February 3 and 6, 1959. They were detained and their ID was marked "nomad." During the registration they were "offered" an apartment and they were asked to start working at a designated place in accordance with para. 3 of Public Law No. 74/1958. If a Gypsy, detained in this raid, did not stay in the apartment that was "offered" and in the employment that was "provided" - even for the just reason that he had a permanent residence elsewhere and that he was also employed elsewhere - he was accused by the authorities of "fluctuation" meaning he was "masking his nomadic life."

If a Gypsy wished to terminate such employment, he was asked to provide - even many years after this "registration" took place - permission from the local national committee, which, however, was never provided. Or if such a member of the Gypsy family even wanted to move to stay with close relatives in a nearby district, he had to meet the following conditions: permission from two national committees - one from the place from which he wanted to move and one from the place into which he wanted to move. Such permission was generally not given, even in cases where the move was motivated by illness or disability. The authorities, however, had the "right" to assign them a place to live, even without a court order.

Gypsies, who never lived as nomads, have, for many years after the so-called registration took place, been submitting applications asking the authorities to remove them from this "registration." These applications were reviewed and decided upon by several members of the local national committee and one member of the police. The view and/or decision presented by one member of police carried more weight than views presented by the other members of the commission. Some applications were denied, even though all the other members of the commission were of the opinion that the applicant should not have been "registered" because one member, representing the police, maintained that the "registra-tion" in that particular case was "legal" or that the applicant is "known" to have visitors in his apartment who are of Gypsy origin and from another district.

Another method to be used to "solve the Gypsy question" was forced "dispersement" of Gypsy populations - in other words, the "liquidation of undesirable concentrations of Gypsy population." This was supposed to have been carried out on the basis of a government ruling, No. 502/1965, which, as it turned out, could not be used for this purpose and was, therefore, abolished. However, the Gypsy population is feeling the effects of this ruling even today. At the time when this dispersing of the Gypsy popula-tion was to take place, about 14,000 families lived in Eastern Slovakia in about 1,818 settlements - or rather ghettos half of which were without electric power, the majority of which had no sewer facilities, and most of which had no access roads and were far from the nearest shops. Drinking water was provided by about one hydrant for 500 or more persons while some settlements had only a small stream. Quite a few of the huts were made of clay. The living standard in some of these settlements has not changed much in all these years. The directives, which were to be follow-ed in dispersing the Gypsy population, gave priority to areas which were tourist attractions and a settlement called Velka Ida was disbanded because it "threatened the health of workers of Vychodoslovenskych zelezaren" (steel mills of Eastern Slovakia).

The social and health threat of these "undesirable concentrations of the Gypsy population," never was the main reason for their dispersement -- in fact, it was not even a secondary factor in the reasoning of those who made these decisions. The directives stated further that citizens of "Gypsy settlements, streets, quarters, etc." have to be transferred to specifically designated places; Czechoslovak citizens of "Gypsy decent" living in a certain settlement had to be moved to a specifically designated district or region and nowhere else - only because of their racial origin.

Gypsies who were assigned to a certain district had to move into that district even if they had relatives or friends elsewhere or if they had employment opportunities elsewhere. Characteristically for such government rulings and regulations, the liquidation of undesirable concentrations of Gypsy population," and the dispersing and movement of the Gypsy population was obligatory and at the same time "voluntary." This type of juridical alibi (or double talk) is quite visible in all documents in the 1970's which deal with the "Gypsy problem" in the most hypocritical way possible. However, the majority of the population is unaware of all these machinations.

All these rules and regulations, limiting the right to free movement and employment, were violations of the Constitution.

Scarcity of apartments and organizational inability are to be blamed for the fact that within the framework of the forced dispersement and movement of the Gypsy population, only a fraction of the Gypsy families settled in the designated areas. The ruling concerning forced dispersement also called for the elimination of "unwanted migration of the Gypsy population." If dispersement meant a forced migration, then "unplanned migration in order to seek better employment, better housing or better social standing" was undesirable and therefore prosecuted. The government ruling, No.502/1965, was abolished; however, the unwritten formula on "undesirable migration of Gypsy population" is still being used and is a threat to a great part of the Gypsy population. A Gypsy who moves from his settlement and finds accommodations and employment elsewhere cannot have his ID changed without specific permission from the national committee (such permission is not necessary with regard to other citizens of the republic). He cannot enter a work contract, is not entitled to medical attention and cannot get assistance from funds administered by the respective District National Committee should he need to assist his family. As there is no direct contact between local national committees in the Czech lands and those in Slovakia, it is very complicated for any Gypsy to get any official business resolved. A Gypsy whose original home was in Slovakia and whose new home is in the Czech lands, has to travel back and forth to get any official business taken care of; sometimes these trips are futile. The local national committee in the place of his new residence does not

consider him to be a local citizen and refuses to deal with him; the local national committee of his permanent residence refuses to deal with him and does not recognize his claims "because he moved away."

"Preventing willful migration" leads to inference in private life. The most outstanding feature of a Gypsy community is its family unity. Gypsies are known to be traditionally hospitable, to visit each other often and to never refuse hospitality to one another. If some members of the family find better living conditions, they make it possible for other members to join them to share these better conditions. This trait in the Gypsy character has old roots; similar traits and customs can be found in a number of nations with a highly developed cultural tradition, who have lived for thousands of years on their own soil -- such as the Chinese. However, if a Gypsy, with a permanent residence elsewhere, is found to have stayed for several nights with a relative, he can be -- and very often is -- "removed" by the police on the pretext that he is engaged in "willful migration."

The dispersement also had some economic "justification." Records of meetings of officials who were responsible for carrying out government ruling No. 502 show that obligatory dispersement is also being justified with claims of lack of workers in the Czech lands and of too many workers, i.e. unemployment, in the eastern part of Slovakia. In the middle of the 1960's when the dispersing of the Gypsy population was to be launched the reasoning was that the employment situation would remain the same for several years. The truth is that it has not changed to this day. The need for unqualified workers is growing and the authorities even had to import some foreign workers. It is the large construction enterprises that recruit Gypsies in Slovakia for work in the Czech lands. The way they do it is not always ethical. They take advantage of the Gypsy's lack of information and education; the job contracts reflect this in many ways. Sometimes there are no contracts at all. Some of the Gypsy workers do not get good housing. Most of the time it lacks hygienic facilities forcing the workers to live with relatives or friends in overcrowded apartments. The recruiting officials do not take any family matters into consideration.

The dispersement of the Gypsy population was supposed to have also helped to solve the shortage of workers in another part of the state. The solution to this problem -- obligatory transfer of an "illegal" minority -- is hindered by organizational inability and lack of housing. On the other hand the lack of housing is one of the reasons why the "unrestrained migration" of Gypsies, from the long range point of view, is not only good but even necessary. When they cannot find employment, the Gypsies move to the Czech and Moravian industrial center where they are useful -- especially in construction work - as unqualified labor. They live mostly with their friends or relatives or they try to find apartments of the lowest category, which do not always have hygienic

facilities. The "unrestrained migration" does have some economic benefits for the state. However, the Gypsies are faced with a dilemma: on the one hand this "unrestrained migration" is being tolerated for reasons stated above, the other hand it is being used as a reason for persecution which takes many forms -- such as personal searches, forced evictions from apartments, confiscation of property, etc.

The consequences of this official stand with regard to "unrestrained migration" are felt mostly in the area of housing. One of the directives read that: "...under no circumstances will a local national committee accept a Gypsy into its jurisdiction, unless it is able to provide him with accommodation..." This directive is still being applied, however, in the most negative way.

Government enterprises need Gypsy labor. However the national committees refuse to assign them apartments. Their standard of living is the biggest obstacle to the cultural development of this minority and makes it impossible for them to rise above the level of unqualified labor for a long time to come. The great majority of Gypsy households in Czechoslovakia consist of one room, or of a kitchen and one room. The number of persons living in a Gypsy household is double or even triple that of the rest of the population. The apartments are usually overcrowded, dark and damp and lack the most basic hygienic facilities.

Until recently, the Education Department did not consider any programs directed at the Gypsy population, 30% of which does not know how to read or write, and can be classified as illiterate. Even in the age group between 15 and 29 years, about 17% fall in that category. Only 50% of the male Gypsy population, averaging 30 years of age, finished grade school; 15% has about 9 years of schooling and 10% did not attend school at all. Only about one half of one percent of the Gypsy population finished higher education and only about 50 persons of Gypsy descent attended college in the whole of Czechoslovakia.

Unsatisfactory performance of Gypsy children in Czech and Slovak schools is often "solved" by transferring the children to special schools for the mentally retarded. During the school year of 1970-71 in the Czech lands alone, about 20% of Gypsy children attended these special schools as against only 3% of children from the rest of the population. According to psychological tests the great majority of these children should not be in these schools. This indiscriminate transferring of Gypsy children to these special schools, which is the general practice, reflects unfavorably on the whole Gypsy population. A child who "graduates" from such a school has the same standing as a child who did not finish his basic schooling. Access to better employment opportunities is closed. Even art schools are closed to them, while persons with special musical talent - not uncommon among Gypsies - are shunned. Musical and dance groups are interested in these talented persons, however, they cannot employ them.

The main reason for the unsatisfactory performances of Gypsy children is the fact that there are no schools which teach Gypsy culture and try to develop it. The powers that be are, on the contrary, doing everything to suppress Gypsy culture and the media assists in this destruction by spreading lies, such as that Gypsy culture does not exist. Gypsy children are forced to attend schools where they are taught in the Czech or Slovak language and where, from the pictures in the primer, they get the impression that they are foreign, that they are second class citizens, with-out their own language, without a past and without a future.

During the last few years special classes for Gypsy children were arranged in places with larger Gypsy populations. In higher classes, Gypsy children from these special Gypsy classes are transferred to normal classes, where they attain better grades than Gypsy children who did not attend these special Gypsy classes. However, not even these special Gypsy classes have addressed the language problem and the whole burden of this experiment, which has been conducted with a minimum of expense, has fallen on the teacher, who does not have any special books or teaching aids necessary for such a task. The teachers have asked in vain for a grammar book which would help to overcome the language problem of the Gypsy children. Many teachers are devoted to this problem, but have received no help whatsoever from the Department of Education.

The professional structure of the Gypsy minority is today much more one sided than it was at times, when the Gypsies lived on the periphery of society and made a living using traditional Gypsy skills, which represented higher qualifications than the professions they are engaged in now. Such traditional "Gypsy" professions as basket making or blacksmithing are still pursued, however, they are not open to Gypsies. Many of the traditional talents of Gypsy families are thwarted by the bureaucracy which requires permits to perform.

The Gypsies have, in the past, lived in dire poverty even though they were recognized as musicians and craftsmen. Today, Gypsy miners and workers earn much more but, nevertheless, they serve as an example that higher income and higher expenditure, does not automatically bring on a higher social standard. In view of the present economic situation the authorities need to have the Gypsy minority exactly where it is: uneducated, with no special aspirations, willing to move to seek unqualified work from one end of the country to the other, without even having a chance for proper accommodation. The lack of unqualified workers in such proportions as in our country is not a normal consequence of economic development. It is, on the contrary, the consequence of technical backwardness and deeper social disorders. This state of affairs cannot remain indefinitely. Despite all the disorders and shortages, as well as deficiencies in the direction of the economy, the time will have to come when the situation will level off

in accordance with international development. The need for unqualified workers will drop; this will cause great unemployment among the Gypsy population which, in turn, will expose this minority to pressures. Its status as a social outcast and its dire poverty will stimulate a new ethnic awareness which will get stronger as the suppression will get tougher.

The Gypsy minority is undergoing a process of social disintegration which has no comparison in the history of the Gypsies. This fact is substantiated by an ever increasing number of Gypsies who are being sentenced to loss of freedom.

The reasons for this happening are not only the social conditions under which they live including urbanization and loosening of family unity, but also the prejudiced positions of the Gypsies before the law as well as in society as a whole.

The so-called "specifically Gypsy criminality" is in many cases the direct consequence of unemployment among Gypsy youth as well as lack of basic education. There are very few employment opportunities for 15-16 year old Gypsies and even the employment office cannot find anything for them but the worst jobs in the worst surroundings. It is especially difficult for Gypsy girls who are, in many cases, left at home to look after younger brothers and sisters rather than being sent to seek employment. For this they face the threat of criminal persecution for "parasitism." In other cases this so-called "specifically Gypsy criminality" is the consequence of rapid biological and social maturation of the Gypsies. Early partnership which generally lead to permanent relationships and the establishment of a family, are viewed and punished as immoral conduct, without regard for the entirely different way of living and cultural values of the Gypsies.

Unwritten laws which, for courts in the CSSR are more binding than written laws, require stricter sentences for Gypsies than for others in the population. Also the fact that their knowledge of the Czech and Slovak languages is scant and their understanding of their rights nonexistent, makes the Gypsies easy targets for discrimination. They are also detained more often and are discriminated against during their captivity in prison.

The saddest chapter in this persecution of the Gypsy minority are the court decisions regarding the placement of Gypsy children in children's homes against the will of the parents who are capable of bringing up their children. The Gypsies are, naturally, fighting such placements. There were cases where the police found the child with the help of a police dog while it was hiding under a bed. The forced transfer of Gypsy children from their homes to children's homes against the will of their parents is very often motivated by an effort to deprive an ethnic group of influence over its own children so that they become more susceptible to the influence of the majority.

The question of sterilization is very important. While medically acceptable in certain specific cases and sometimes even necessary, morally it is very problematical. The consent of Gypsy women to sterilization is obtained by certain suspicious means. In some areas the sterilization of Gypsy women is carried out as a planned administrative program and the success of employees is judged by the number of Gypsy women an employee has been able to talk into sterilization. Under such circumstances it is impossible to be objective about such a program. Often, in order to get consent for sterilization, the authorities offer financial reward. In this way sterilization is becoming one of the instruments of the majority against the minority aimed at preventing childbirth in a particular ethnic minority.

Subjugation of the Gypsies as a minority group forced them to organize in the 1960's as an Association of Citizens of Gypsy Descent. This organization has for the first time in our country tried to get the Gypsies motivated enough not to remain a passive subject to social assistance but a voluntary force of self-confident and equal citizens who would take part in decisions which would lead to adjusting this abnormal situation and who would also cooperate on the necessary changes that will have to be made. This organization started on its great task in a normal and forth-right way. However, it is symptomatic of the situation in the CSSR that this organization was unacceptable for the "normalized" political arena in Czechoslovakia. Even though this Association of Citizens of Gypsy Descent offered its assistance and cooperation and always acted loyally, it was forced to terminate its activities in April of 1973. During the procedures which had to be followed while the Association of Citizens of Gypsy Descent was formally disbanded, the members of the Association were subjected to threats and pressures. However, they maintained their stand and showed perseverance and bravery which has no comparison in associations or clubs in Czechoslovakia in the 1970's. Gypsies, with high school educations, who were active in this Association, are now, in many instances, working as unqualified labor.

The authorities view the solution of the Gypsy "problem" in the elimination of this minority and its integration with the majority. By eliminating the minority one eliminates the minority problem. The theory behind it is that the Gypsies "are a dying ethnic group" which is "destined for extinction." In order to bring about this extinction the authorities are doing everything in their power to prevent the Gypsies from making any gains in independent culture and other activities, in attaining proficiency in their language and in learning about their identity; they are also trying to break their family ties and to disrupt their community life. However, this endeavor to force the integration of the minority with the majority, is, on the contrary, deepening the gulf between the Gypsies and the rest of the population. This endeavor, which is called "integration," is, on the contrary, leading to disintegration.

The real basis for the effort of the authorities to stimulate the integration of the Gypsy population with the majority is in fact a desire to forcefully assimilate this minority. The Gypsies are naturally fighting against this because it would deprive them of their heritage. The law of self-preservation forces the Gypsies to bridge traditional differences among various groups and to find a new, nationwide ethnic consciousness. There is also an endeavor to create a Gypsy literature which is having some success. However, the authors did not know the Gypsy language in their childhood and had to learn it as adults as was the case with some authors of the Czech national renaissance. The language vacuum in which the Gypsy minority found itself as a consequence of the repression of the Gypsy culture inspired the Gypsy community to encourage its intellectuals to create literary works in the Gypsy language, which might result in the creation of a literary Gypsy language. However, the Gypsy authors are now isolated because of the policies of the Czechoslovak authorities but they are the ones who could help to stop the process of disintegration of their minority.

The actions of the authorities are, therefore, counterproductive because they miss and reject the only way in which integration can be achieved -- as far as Gypsies are concerned -- and that is group integration.

The goal of the government to eliminate this minority must, of necessity, lead to further increased repression. If the constant failures of this policy will not lead to re-evaluation of the whole concept of how to integrate, the Czechoslovak institutions will soon have to answer charges that they are committing genocide - para. 259 of the Penal Code. This law states:

- 1) He, who with the intent to eliminate fully or partially a national, ethnic, racial or religious group
 - b) employs measures destined to prevent the birth of children in such a group or
 - c) forcefully removes and transfers children from one such group to another group will be punished by loss of freedom for 12 to 15 years, or even by the death penalty
- 2) Punished also will be all those who have participated in actions specified in para. 1.

If the forceful removal of Gypsy children and sterilization of Gypsy women continues at the same pace, it will not be possible to keep these actions secret and nothing will be able to prevent bringing formal charges (against the authorities) based on proof.

The influx of Gypsy families into industrial centers creates among the majority population - which is not informed about Gypsy problems - tensions which lead to segregation and racial attitudes. This brings the majority population -- despite the fact that it is excluded from any decision-making of the authorities -- into a situation where it also must accept moral responsibility and blame for the persecution the Gypsy minority is subjected to in Czechoslovakia. And those, who are actively carrying out the orders of the authorities concerning Gypsies are also legally and materially responsible.

Only the minority itself can decide whether it will integrate with the majority population, whether it will preserve its identity, whether it will remain an ethnic minority or whether it will develop into a national minority. Whether this decision-making process will come about quietly and peacefully or whether the process will be stormy will to a large extent depend on the way in which the majority population will accord the minority its rights. Without those rights the Gypsies cannot effectively pursue even those rights granted them by the legal system and they could not even effectively use those rights cases where the authorities would abide by the provisions embodied in the legal system. Without group rights the Gypsies cannot develop any cultural activities which would assist them in preserving their identity, without which any proper social integration is not possible.

In the spirit of Charter 77 principles we suggest that all information kept secret with regard to Gypsies be publicized. We further suggest that (1) all illegal measures taken against the Gypsies and their cultural and organizational activities, be investigated and dealt with in accordance with valid laws; (2) that all respective departments and agencies, in cooperation with the CSAV and other organs, carry out and publish a serious and expert analysis of the situation of the Gypsy population; (3) make possible a public and free discussion concerning the solution of this situation; and (4) that a plan be prepared to correct the legally unacceptable situation of the Gypsies.

Without a truthful revelation of the seriousness of this problem, without a proper and basic adjustment in legal directives and without the participation of Gypsies themselves in the decision-making measures concerning their problem, the solution of this question will be illusory. This question is no longer only a minority question or an economic or social question. It is becoming a question of the conscience of the whole society.